

FILED
U.S. DISTRICT COURT

2007 JUN -7 P 1: 22

DISTRICT OF UTAH

BY: _____
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH/ CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WARREN STEED JEFFS,

Defendant.

~~PROTECTED~~ ORDER

Case No. 2:07cr00148

Judge Dee Benson

This matter having come before the Court for hearing on May 24, 2007, regarding the defendant's "Emergency Motion to Seal and Establish Procedures for In Camera Review of Protected Religious Records" (CR 8), upon consideration of the parties' respective arguments and briefs, and for good cause shown,

IT IS ORDERED that the defendant's motion is GRANTED to the extent that the government shall not disclose any of the electronic and paper records seized from defendant on or about August 28, 2006 to third parties.

IT IS ORDERED that the defendant's motion is GRANTED to the extent that the government must return any and all records seized which are beyond the scope of the search warrant issued in Case No. 2:06-mj-00618-PAL, District of Nevada, which

authorized only the search and seizure of evidence relevant to violations of Title 18, United States Code, Sections 1073 (Unlawful Flight to Avoid Prosecution) and 1071 (Concealing Person from Arrest), believed to have occurred on and after June 10, 2005. In connection with this order, the government shall have until July 2, 2007, to retrieve from the seized materials those records which are relevant to the aforementioned violations. Upon completion of the review period, the government shall return to the defendant the records deemed irrelevant to the aforementioned violations. The government may move to extend the period of review upon good cause shown. The law firm of Wright, Judd & Winckler shall hold the returned items in escrow on the defendant's behalf until such time that the fiduciary for the United Effort Plan Trust has had the opportunity to inspect said property pursuant to order or subpoena previously issued in the Third Judicial District Court of Salt Lake County.

IT IS ORDERED that the defendant's motion is DENIED to the extent that it seeks to have this Court establish *in camera* review procedures at this juncture of the prosecution.

IT IS FURTHER ORDERED that the government provide to the defendant a copy of the sealed affidavit supporting the above-described search warrant.

IT IS FURTHER ORDERED that the taint team procedures, privilege log procedures, and restrictions on the defense counsel's use of copies of seized materials, as previously agreed upon by the parties and integrated into the search warrant, are hereby removed. The Assistant United States Attorneys and agents of the Federal Bureau of Investigation assigned to the case are, therefore, authorized to review the seized items to determine relevancy to the aforementioned violations. After the government has identified relevant

records, the defendant will have the right to assert the cleric-communicant privilege or other objections.

DATED this 7th day of June 2007.

A handwritten signature in cursive script that reads "Dee Benson". The signature is written in dark ink and is positioned above a horizontal line.

DEE BENSON

United State District Court Judge